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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/824,553

04/14/2004

Curtis B. Johnson

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6250

7590

08/02/2006

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EXAMINER

LIEU, JULIE BICHNGOC

ART UNIT

PAPER NUMBER

2612

DATE MAILED: 08/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/824,553

Applicant(s)

JOHNSON ET AL.

Examiner

Julie Lieu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on telephone interview 7/17/06.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 and 21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 13-20 is/are rejected.
- 7) ☒ Claim(s) 11, 12, and 21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This Office action is in response to Applicant's telephonic communication on July 25, 2006 and Applicant's amendment filed March 09, 2006. Claims 1, 2, 4, 6, 7, 9, 11, 12, 13 16, 18, and 19 have been amended. Claim 20 has been canceled. New claim 21 has been added.
2. Applicant's request for reconsideration of the finality of the rejection of the last Office action during the interview on July 17, 06 is persuasive and, therefore, the finality of that action is withdrawn.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

4. Claims 1-10, and 13-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kennedy, III et al. (US Patent No. 6,167,255).

Claim 6:

Kennedy, III discloses a system, comprising:

- a. Diagnostic data associated with a latch (door lock), wherein the diagnostic data comprises operational and/or functional information (diagnostic testing information) for

debugging the latch and wherein the diagnostic data is generated in response to automatically analyzing the latch;

- b. a graphical user interface 22 for graphically displaying the data within a display area thereof, and
- c. a communications link (fig. 1) between the graphical user interface 22 of mobile unit 12 and the latch over which latch operational and functionality feedback information is communicated to the latch, in response to user input provided to the graphical user interface.

See col. 4, lines 6-28; col. 7, lines 27-37; col. 9, lines 36-56; col. 10, lines 7-19.

The term “debugging” is not specifically used in the reference. However, the reference implicitly disclose the debugging feature since it discloses the diagnostic data and diagnostic testing as well as the operator’s ability to operate user interface 22 to monitor data, perform diagnostic tests, and/or to activate any components including actuators 28, which include door locks. One skilled in the art would also have readily recognized that the diagnostic tests could be performed on all devices including the door latch of the vehicle.

Claim 7:

It is inherent that the latch debugging operation data in the Kennedy, III system is communicated over the communications link between user interface 22 and the latch in response to the user interface being activated to initiate a latch debugging operation.

Claim 8:

The latch in Kennedy, III’s is inherently automatically analyzed during latch operations thereof.

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Claim 9:

The diagnostic data in Kennedy, III inherently comprises internal electrical functionality and status of data of sensors 26, actuators 28, and computing devices 30.

Claim 10:

The functionality and operation of the latch Kennedy III's system are automatically modified, in response to communicating latch operational and functionality feedback information to the latch over the communications link (i.e. the lock open or closed upon input from the user interface 12).

Claims 1-5

The rejection of claims 1-5 recites the rejection of claim 6-10, respectively, except they are method claims.

Claim 13-18:

The rejection of claims 13-18 follows the rejection of claims 1-5 or 6-10, except it is a program product. It is inherent that the Kennedy, III system comprises a program product to perform those functions.

Claim 19:

It is inherent that the instructions means in the Kennedy, III system further comprises a bearing media for the instruction means to be stored on.

Allowable Subject Matter

4. Claims 11-12 and 21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Remarks

2. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julie Lieu whose telephone number is 571-272-2978. The examiner can normally be reached on MaxiFlex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on 571-272-3068. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Julie Lieu', with a long horizontal flourish extending to the right.

Julie Lieu
Primary Examiner
Art Unit 2612

Jul 26, 06